DNREC files another Clean Air Act petition with EPA to reduce upwind-sourced pollution emissions, this time targeting coal-fired West Virginia power plant

DOVER – Delaware has again taken action to reduce air quality and public health impacts from upwind sources through a DNREC petition asking the U.S. Environmental Protection Agency to find that the Harrison Power Station near Haywood, W. Va., with its three large coal-fired electric generating units, is emitting air pollutants in violation of the federal Clean Air Act (CAA) and National Ambient Air Quality Standard (NAAQS) for harmful ozone.

As with a CAA 126 petition filed last month by DNREC against the Brunner Island power plant in York County, Pa., the Department argues that Delaware's air quality is often adversely affected every summer by unhealthy ozone, with a number of NAAQS ozone exceedances having already occurred this year, and a likelihood of more to come so long as sources such as the Harrison Power Station and Brunner Island continue emitting pollutants without proper controls, particularly nitrogen oxide (NOx). Computer modeling, using EPA-approved methods, has confirmed that both the Brunner Island and Harrison power plants produce air pollution that carries into Delaware, resulting in exceedances of the health-based ozone air quality standard. Exceedances of the ozone NAAQS contribute to increasing incidents of asthma, respiratory disease and other health problems for Delawareans.

DNREC's latest petition reiterates that problematic ozone is not of Delaware's doing – that all emission sources within the state are "well controlled" but that outside sources skew the state's air

quality readings and bring with them debilitating health issues. DNREC Secretary David Small again noted in the 126 petition that more than 94 percent of the ozone levels in Delaware are created by the transport of air pollutants from upwind states, while DNREC has worked with power producers and manufacturers in Delaware to sharply reduce emissions within the state's borders.

"We are again petitioning the EPA to act on the fact that our ability to achieve and maintain health-based air quality standards is severely impacted by sources outside of the state of Delaware," Secretary Small said. "Our position has been corroborated by EPA's own modeling technology – that West Virginia's emissions significantly impact Delaware – and we are petitioning EPA to reduce that impact and the encompassing health threats foisted on Delawareans through harmful ozone that comes from outside our borders."

Secretary Small also said that Delaware is continuing to assess the impact of other electric generating facilities in the upwind states and that additional Clean Air Act 126 petitions may be developed in the near future. Some of the states where these power plants exist do not have regulatory requirements for installing highly-effective NOx emissions controls, while still other states do not require the power plants to consistently operate existing NOx controls at high levels of efficiency.

Before DNREC's Clean Air Act 126 petition to EPA, West Virginia had proposed more stringent NOx emissions limitations for the Harrison power plant. However, DNREC's Division of Air Quality reviewed the proposed NOx emission rate limitations and determined that, even if implemented, the new rate limits will not mitigate the Harrison plant's significant impact on Delaware's air quality.

Delaware's 126 petition to EPA also notes that the Harrison Power Station is outfitted with very effective post-combustion NOx emissions controls, but that the facility does not consistently operate those controls. Coal-burning units 1, 2 and 3 at the plant – installed in 1972, 1973, and 1974, respectively – all are equipped with low NOx burners (LNBs) and selective catalytic reduction (SCR) NOx emission

controls as installed between 13 and 15 years ago, but these controls are used sparingly thus contributing to Delaware's cross-state air transport problems. When the plant's SCRs are not deployed, emissions are several times higher and more detrimental to ozone levels than when the reduction devices are operating at high levels of NOx control.

Health issues are central in Delaware's appeals to EPA. Short-term exposure to ozone such as Delaware experiences each summer can cause rapid, shallow breathing and related airway irritation, coughing, wheezing, shortness of breath, and exacerbation of asthma, particularly in sensitive individuals and asthmatic children. Short term-exposure also suppresses the immune system, making bodily defenses vulnerable to bacterial infections. Children, the elderly, those with chronic lung disease, and asthmatics are especially susceptible to the pulmonary effects of ozone exposure.

Section 126(b) of the Clean Air Act requires that within 60 days after the EPA's receipt of any petition (and after a public hearing), the EPA administrator will make such a finding as requested, requiring the Harrison Power Station to limit short term NOx emissions to levels that are protective of the 8-hour ozone NAAQS in downwind areas such as Delaware, or deny the petition.

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